



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: March 9, 2005 REPORT NO. HO 05-036

ATTENTION: Hearing Officer

SUBJECT: OBERLIN MAP WAIVER
PTS PROJECT NUMBER: 48796

LOCATION: 5850 Oberlin Drive

APPLICANT: Erin Bishop,
Hunsaker and Associates

SUMMARY

Requested Action - Should the Hearing Officer approve a Map Waiver to waive the requirement for a Tentative Map and a Final Map to convert an existing commercial building with 25,363 sq. ft. of gross floor area on a 1.22 acre site into a 236 unit commercial condominium?

Staff Recommendation - APPROVE an application for Map Waiver No.145177

Community Planning Group Recommendation - On November 15, 2004, the Mira Mesa Community Planning Group voted 14-0-0 to recommend approval of the Map Waiver.

Environmental Review - The project is categorically exempt from environmental review pursuant to Article 19, Section 15301(k), Existing Facilities, of the California Environmental Quality Act (CEQA).

BACKGROUND

The project is located on a 1.22 acre site at 5850 Oberlin Drive, within an area designated in the adopted Mira Mesa Community Plan as the Sorrento Mesa Industrial Sub-area and zoned IL-2-1. The project site is bordered by commercial development to the north and light industrial to the east, south and west. The nearly-rectangular site consists of 1.22 acres on which is located a three-story office building with 25,363 sq. ft. of gross area, of which 1,743 sq. ft. are common area, leaving 23,620 sq. ft. of net area for condominiums. It was originally constructed in 1988

and has 86 parking stalls, some of which are located at grade under a portion of the building's second floor. Three (3) of these are designed to be handicapped-accessible. The site's development pad is bounded by an ascending slope of up to approximately twenty (20) feet to Mira Mesa Boulevard to the west. To the north, an ascending slope rises up to approximately twenty (20) feet to the adjacent commercial land use. It is bounded by Oberlin Drive to the east, where its parking lot has its only access to the street. It is bounded by the adjacent light industrial land use to the south.

DISCUSSION

The project proposes the conversion of an existing commercial building into 236 commercial condominium units with common ownership of the lot and common areas of the building. The building was constructed in 1988, previously zoned M-1B, and it is assumed the development met the regulations in effect at that time. Development regulations have changed since the site was developed and therefore, the development may not conform to current development standards. However, the development does have previously conforming rights to be maintained consistent with the Land Development Code Section 127.0101.

Section 125.0120 of the City's Land development Code establishes a discretionary process which allows an applicant to request and the Hearing Officer to consider a waiver of Map requirements for subdivision proposals which demonstrate compliance with the State's Subdivision Map Act Section 66428. Therefore a Tentative and Final Map may be waived for this project.

ALTERNATIVES

1. Approve Map Waiver No. 145177, with modifications.
2. Deny Map Waiver No. 145177, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Robert P. Tucker, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Map Waiver Exhibit (forwarded to HO)
6. Draft Resolution with Findings
7. Community Planning Group Recommendation

8. Ownership Disclosure Statement
9. Project Chronology